

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN PATRICK MCGUIRE,

No. C 15-05224 WHA

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION AND
DISMISSING COMPLAINT**

WILLIAM FRYE, et al.,


Defendants.

The undersigned has reviewed the report and recommendation of Magistrate Judge Joe Spero and agrees that plaintiff's complaint should be dismissed for the reasons stated in the report (Dkt. No. 7). No objection was received in response to the report. This order therefore **ADOPTS IN FULL** the report and recommendation of Judge Spero and plaintiff's complaint is hereby **DISMISSED**.

Plaintiff may seek leave to file an amended complaint by **FEBRUARY 29, 2016**. A proposed amended complaint must be appended to the motion, should clearly explain how the proposed amendments address the defects listed in Judge Spero's report, and should include as an exhibit a redlined or highlighted version identifying all changes.

IT IS SO ORDERED.

Dated: February 8, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE